

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

BIAX CORPORATION,)
Plaintiff,)
v.)
INTEL CORPORATION, AND ANALOG) Civil Action No. 2:05-CV-184 TJW
DEVICES, INC.) Judge: Hon. T. John Ward
Defendants.)
)

DECLARATION OF DANA HAYTER

I, Dana Hayter, pursuant to the provisions of 28 U.S.C. § 1746, declare as follows:

1. I am the Director of Licensing for Intel Corporation and an attorney for Intel licensed to practice in California and several federal courts.

2. I was deposed in this matter on December 5, 2006. Some of the questioning during my deposition concerned documents referred to as (i) templates of draft licensing agreements and (ii) documents created and maintained by the Intel Legal Team on the Intel Legal Department's internal intranet.

TEMPLATES

3. Six documents on Intel's log are "templates". These templates are instances or variations of reference documents that, to the best of my knowledge were drafted at least by the following Intel lawyers: Ira Blumberg, Scott Gilfillin and me. These templates give the Intel lawyers drafting contracts for Intel a starting point for drafting and legal advice concerning those starting points. These templates do not proscribe the financial terms for a given deal. They may provide guidance on *how* to draft a contract once the terms of the deal are determined. There are

no "suggested" or "standard" royalties set forth in these documents. The place for the financial numbers in the templates is left blank.

4. These documents are kept on a legal-department-only intranet at Intel, and are treated as attorney-client privileged documents within Intel.

5. Three of the "template" documents contain alternate options and instructions written by attorneys, embedded throughout, with legal advice concerning those alternate options. The other three use blanks instead of the information that would be specific to a particular deal (e.g., names of parties, payment terms).

INTEL LEGAL TEAM DOCUMENTS

6. Twelve documents on Intel's log are from the Intel Legal Team website.

7. Offensive patent analysis. To the best of my knowledge, five of these documents are documents written by Brad Greenwald (an Intel in-house lawyer) or someone working under his direction. These documents are directed to lawyers performing or overseeing patent analysis and describe various approaches to analyzing how a particular Intel patent relates to a product.

8. Consultant Engagement And Management. One document addresses the procedural aspects of managing the legal relationship with a consultant. The purpose of this document is to guide lawyers from Intel's Patents and Licensing Group in their retention of consultants. This document does bear in any way on the financial terms for a given deal.

9. Corporate Licensing Group. The remaining documents are pages from the intranet of the Corporate Licensing Group. These reflect lawyers' judgment as to the appropriate level of patent analysis at each phase of a licensing project. These also reflect lawyers' judgment about the appropriate level of information required to advise Intel management about a particular licensing transaction at any given stage of the transaction. These guidelines do not even mention "royalties" and do not lay out the what any given patent would be worth to Intel or what any given royalty "should" be.

I declare under penalty of perjury that this Declaration is true and correct.

Dated: February 5, 2007

A handwritten signature in black ink, appearing to read "Debra M. Stoye", is written over a horizontal line.